

ESTTA Tracking number: **ESTTA353844**Filing date: **06/20/2010**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Mr Navtej S Khandpur		
Entity	Individual	Citizenship	UNITED STATES
Address	PO Box 1173 Santa Clara, CA 95052-1173 UNITED STATES		

Correspondence information	Mr Navtej S Khandpur PO Box 1173 Santa Clara, CA 95052-1173 UNITED STATES kkhandpur@gmail.com
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Applicant Information

Application No	77798998	Publication date	06/08/2010
Opposition Filing Date	06/20/2010	Opposition Period Ends	07/08/2010
Applicant	Promentis Pharmaceuticals, Inc. PO Box 170851 Milwaukee, WI 532170851 UNITED STATES		

Goods/Services Affected by Opposition


Class 042. All goods and services in the class are opposed, namely: Pharmaceutical research and development
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Other	I have been using the word "Promentis" in commerce since 1996, and have owned the domain name promentis.com since 1996. Promentis Pharmaceuticals has filed an "intent to use" application (1(b)) to use the mark "Promentis". Their application should be further amended to register the phrase "Promentis Pharmaceuticals" to avoid any confusion.

Mark Cited by Opposer as Basis for Opposition

U.S. Application No.	77895266	Application Date	12/16/2009
Registration Date	NONE	Foreign Priority	NONE

		Date	
Word Mark	PROMENTIS SOLUTIONS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1996/07/16 First Use In Commerce: 1996/07/16 Business management consulting		

Attachments	77895266#TMSN.jpeg (1 page)(bytes) Opposition (20Jun2010).pdf (1 page)(49698 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Navtej Singh Khandpur/
Name	Mr Navtej S Khandpur
Date	06/20/2010



I am opposing this application (77798998).

I have been using the word "Promentis" in commerce since 1996, and I also have continuously owned the domain name promentis.com since 1996 and I use that domain in commerce. Since I have been using the word Promentis in commerce since 1996 I have priority in use. I recently applied for the mark "Promentis Solutions" in good faith, and it has been approved for registration (77895266).

While Promentis Pharmaceuticals has filed their application for an intent to use the word "Promentis" in a different class of goods than Promentis Solutions, there remains the likelihood of confusion. For this reason the applicant should amend the application to avoid any chance of confusion.